THE HON'BLE SRI JUSTICE GODA RAGHURAM

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WRIT PETITION No.2753 OF 2006

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DATE: 16-02-2006

Between:

D.Ravinder . . .Petitioner

and

Govt. of A.P., and others . . .Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

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O R D E R:

The authorization of the fair price shop of Thallasingaram was cancelled, on certain allegations of misconduct. In the ensuing vacancy and pending a challenge by the former dealer to the orders of cancellation, the petitioner was appointed temporarily to function as a fair price shop dealer, by proceedings of the Revenue Divisional Officer concerned, dated
14-06-2004. It appears that all the challenges by the former fair price shop dealer

failed including in a writ petition. Consequently, the nebulous vacancy became a clear vacancy. In the circumstances, the third respondent by the publication, dated 27-01-2006, invited applications for appointment to the permanent vacancy of Shop No.1, Thallasingaram. The petitioner's grievance is that earlier, the fair price shop concerned was earmarked for all applicants without reservation and now it is earmarked for reservation to S.C. (General) candidates alone. He is thus before this Court.

It is neither pleaded or urged or established before this Court that a fair price shop earmarked at one point of time for reservation or kept open should always to be so, nor it is urged or demonstrated that reservations to fair price shops cannot be altered cyclically or periodically. In the absence of any such pleading, the grievance of the petitioner has no legal foundation. There is a preliminary presumption of the regularity of executive decisions. The burden is upon to the petitioner to disprove that presumption. No foundation is laid to assail the presumption.

The writ petition fails and is accordingly dismissed.

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(GODA RAGHURAM, J)

16th FEBRUARY, 2006.

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